

Remarks

Claim 1 is rejected as anticipated by the Grey Publication. In response to arguments presented in clause 3A, features upon which Applicant relies in favor of patentability of claim 1, specifically, "a measurement level corresponding to a measurement to be performed, a test level corresponding to one or more of said measurements, and a procedure level corresponding to an ordered list of said tests" is recited in lines 7-10 of claim 1. Accordingly, Applicant is not proposing that limitations from the Specification be imported into the claims because the limitation is explicitly recited in claim 1. The Grey Publication bases its hierarchy on a subcomponent level (i.e. expansion slots, expansion boards, elements on the expansion boards, etc.) of the device under test (See Grey, para. 0052, 0074) and not the measurement level as recited in claim 1. Because, all elements of claim 1 are not disclosed in the Grey Publication, a rejection for anticipation is not proper and withdrawal of the rejection is respectfully requested.

Claim 2 is rejected as anticipated by paragraph

0116 of the Grey Publication. In response to arguments presented in clause 2B, Applicant asserts that a "pointer" as used in the Grey Publication is different from a "datapoint" as used in claim 2. A "pointer" refers to a beginning address of a software process or entry point as used in the Grey Publication. See Grey paragraph 0116. A "datapoint" refers to a "subset of a measurement containing additional parameters that select a result when one measurement generates multiple results" as explicitly defined on page 9, lines 29-31, of the present Specification. Because the "datapoint level" is not disclosed in the Grey Publication, a rejection for anticipation of claim 2 is improper and withdrawal of the rejection is respectfully requested.

Claim 3 is rejected as anticipated by the Grey Publication. In response to arguments presented in clause 3A, features upon which Applicant relies in favor of patentability of claim 3, specifically, "a measurement level corresponding to a measurement to be performed, a test level corresponding to one or more of said measurements, and a procedure level corresponding to an ordered list of said tests" is recited in lines 7-10 of claim 3. The Grey

Publication bases its hierarchy on a subcomponent level (i.e. expansion slots, expansion boards, elements on the expansion boards, etc.) of the device under test (See Grey, para. 0052, 0074) and not the measurement level as recited in claim 3. Because not all elements and limitations are disclosed in the Grey Publication, a rejection for anticipation is not proper and withdrawal of the rejection is respectfully requested.

Claim 11 is rejected as anticipated by the Grey Publication. In response to arguments presented in clause 3C, paragraphs 0022, 0052 of the Grey Publication teach functions defined by subcomponents of a unit under test (i.e. expansion slots, expansion boards, elements on the expansion boards, etc.) (See Grey, para. 0052, 0074) "wherein the first test executive sequence is operable to test a first system sub-component of a first level in the system hierarchy, wherein the first level is not the top level of the system hierarchy". Paragraphs 0031-0033 of the Grey Publication teach propagation of variables through sequences that are not specified for execution by a user to permit proper execution of a subcomponent test that is not in the top level of the hierarchy.

See also paragraph 0022. None of the cited paragraphs disclose "a function defined by a class"..."said classes including a measurement class corresponding to a measurement to be performed" as explicitly recited in lines 6 and 8-10 of claim 11. In response to clause 3D, Applicant is not proposing limitations in the Specification be read into the claims for purposes of examination because the limitations upon which Applicant relies are explicitly recited in claim 11. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 21 is rejected as anticipated by the Grey Publication. In response to arguments presented in clause 3A, features upon which Applicant relies in favor of patentability of claim 21, specifically, "a measurement level corresponding to a measurement to be performed"..."embodied in said program as a software object" is recited in lines 4-5 and 7-8 of claim 21. Accordingly, Applicant is not proposing that limitations from the Specification be imported into the claims because the limitation is explicitly recited in claim 21. The Grey Publication bases its hierarchy on a subcomponent level (i.e. expansion slots, expansion boards, elements on the expansion

boards, etc.) of the device under test (See Grey, para. 0052, 0074) and not the measurement level as recited in claim 21. Additionally, the Grey Publication does not make reference to a measurement level software object. Because, all elements of claim 21 are not disclosed in the Grey Publication, a rejection for anticipation is improper and withdrawal of the rejection is respectfully requested.

Claim 23 is rejected as anticipated by the Grey Publication. In response to arguments presented in clause 3A, features upon which Applicant relies in favor of patentability of claim 23, specifically, "a measurement software object corresponding to a measurement to be performed" and "a test software object defining a test algorithm utilizing parameters provided by said measurement object" is recited in lines 4-7 of claim 23. Accordingly, Applicant is not proposing that limitations from the Specification be imported into claim 23 because the limitation is explicitly recited therein. The Grey Publication bases its hierarchy on a subcomponent level (i.e. expansion slots, expansion boards, elements on the expansion boards, etc.) of the device under test (See Grey, para. 0052, 0074) and not the measurement level


as recited in claim 23. Additionally, the Grey Publication does not make reference to a measurement software object and test object utilizing parameters provided by the measurement object. Because, all elements and limitations of claim 23 are not disclosed in the Grey Publication, a rejection for anticipation is improper and withdrawal of the rejection is respectfully requested.

Applicant thanks the Examiner for highlighting and acknowledges the error in amending claim 26 instead of claim 22 and will take steps to correct the error depending upon results in the Advisory Action.

If any clarifications can be made by way of telephonic interview, the Examiner is invited to contact the Undersigned.

Respectfully submitted,

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